

REMARKS/ARGUMENTS

Objections To The Specification

The Examiner has objected to the specification asserting that the specification fails to provide proper antecedent basis for the claimed subject matter. In particular, the Examiner asserts that the terminology “first portion”, “contact portion”, “first and second surfaces”, and “closed edge” are not supported in the specification, and further the Examiner asserts that “claimed subject matter must use the same terminology that is used in the specification.” Accordingly, as stated in MPEP 608.01(o), Applicant’s representative has provided a substitute specification that amends the specification to clearly identify all the objected to terms except for the “closed edge” term (the “closed edge” no longer being recited in the claims). Moreover, Applicant’s representative has also amended the drawings to identify the above objected to terms in the drawings. Thus, it is believed that the objections to the specification are overcome.

In particular, the term “first portion” is now described on page 1, lines 22-30 of the specification as follows:

“A preferred design of the present invention includes an extended post (e.g., post 24 of Fig. 1) connected to a shoulder (e.g., shoulder 22 of Fig. 1), wherein the post includes: (i) a first portion (e.g., post portion 25, Fig. 1) for supportively contacting the apparatus of the invention on the desired article 12 ...”

The term “contact portion” is now described in page 3, lines 14-22 of the specification as follows:

“To secure the post in such a grommet hole, various means can be employed. For example, the post may be maintained in a desired extended position, facilitating access to the at least one aperture in said post, simply due to the contact with a person’s body or undergarment pressing outward against the shoulder. Thus, the first shoulder surface (e.g., surface 29 of Fig. 1) contacts a desired article to which the invention is attached. Accordingly, an embodiment of the present invention may include a “contact portion” for contacting a desired article and securing the embodiment thereto, wherein, the contact portion includes, e.g., the exterior surface of the shoulder (e.g., surface 29 of Fig. 1), and

the first portion (e.g., post portion 25, Fig. 1) described hereinabove.”

The term(s) “first and second surfaces” is now described in page 2, lines 3-5 of the specification as follows:

“The shoulder, in at least some embodiments, includes a **first surface** (e.g., surface 29 shown in Figs. 1 through 10) and an opposite **second surface** (e.g., surface 33 shown in Figs. 1 and 2).”

It is believed that no new matter has been added to the specification nor to the drawings. If the Examiner believes otherwise, it is respectfully requested that the Examiner contact by phone the undersigned Applicant’s representative.

Objections To The Drawings

The Examiner has objected to the drawings under 37 CFR 1.83(a). The drawings have been amended to overcome the Examiner’s objections. No new matter has been added to drawings. Any additional features in the drawings are believed to be clearly described in the specification as originally filed. In particular, Fig. 1 now shows a “desired article” (12) “such as a garment, belt, purse, etc” (page 7, line 18 of the original specification) having a grommet (18), wherein “the shoulder being of a sufficient diameter such that it will not pass through a aperture in a grommet but which permits the post of the present invention to pass therethrough” (page 3, lines 11-13 of the original specification). Further regarding Fig. 2, the “first and second surfaces” which the Examiner asserted were not supported are now labeled in this drawing, and identified in the specification. Regarding Fig. 3, this figure now shows a button hole (14) for a “desired article” (12) as is described in the following two passages of the original specification:

“In other embodiments, the device of the present invention can be reversibly attached to a garment, such as **through a button hole** or other suitable aperture, thus allowing a user to use the present invention with a variety of articles rather than having it securely attached to just one article.” (Page 2, lines 7-11 of the original specification).

“... Fig. 11, shows the present invention as it may be used on jeans with a key ring/chain.

The post 24 is fed through a hole in a garment, belt, etc.” (Page 8, lines 18-19 of the original specification).

Regarding Figs. 4 through 11, these figures have been amended by introducing additional labeling of various portions of the figures that are now also identified in the specification. Accordingly, it is believed that the Examiner’s objections to the drawings are also overcome.

Claim Objections

Regarding Claim 1, the Examiner has objected to the phrase “whereby when said device” and has suggested deleting the word “when”. Applicant’s representative appreciates the Examiner’s suggestion. Claim 1 has been amended according to the Examiner’s suggestion.

The Examiner has objected to Claims 1, 18, and 20 stating that the term “first portion” unclear. It is believed that the amendments to the specification and the drawings as, e.g., recited above clarify the term sufficiently to overcome the Examiner’s objection.

Regarding the Examiner’s objection to Claim 9, this claim has been cancelled.

The Examiner has objected to Claims 10, 11, and 12 stating that the term “contact portion” unclear. It is believed that the amendments to the specification and the drawings as, e.g., recited above clarify the term sufficiently to overcome the Examiner’s objection.

The Examiner has objected to Claims 10, 11, and 22 stating that the term “first and second surfaces” are unclear. It is believed that the amendments to the specification and the drawings as, e.g., recited above clarify the term sufficiently to overcome the Examiner’s objection.

102(b) Claim Rejections

The Examiner has rejected Claims 1, 4, 6, 8, 10-11, 13-14, 16-18, and 20-21 under 35 U.S.C. 102(b) as being anticipated by Goele (U.S. Patent No. 3,848,271). However, Goele does not disclose or suggest the following amended limitation of Claims 1, and 10:

“wherein said device is removed from said desired article by removing said attachment from said aperture”.

An inspection of Fig. 2 of Goele clearly shows that Goele's studs 13 do not detach from the belt 11 by removing the attached corresponding ring 19. Thus, it is believed that the present rejection of Claims 1 and 10 are overcome.

Additionally, the present rejection of Claims 4, 6, 8, 16-18 and 20 is believed to be overcome due to these claims being dependent upon Claim 1. Furthermore, the present rejection of Claims 11, 13-14, and 21 is believed overcome due to these claims being dependent upon Claim 10.

Regarding Claim 8, it is respectfully submitted that the Examiner's assertion in Paragraph 13 of his Office Action is incorrect. The item that the Examiner is interpreting as the shoulder in Goele is the washer 27 which is not “integral” with the combination of components 13 and 25 (this combination being identified by the Examiner as the post in Claim 1).

The Examiner has also rejected Claims 10, 12-15, and 22 under 35 U.S.C. 102(b) as being anticipated by Dietz (U.S. Patent No. 867,255). However, Dietz also does not disclose or suggest the same limitation to Claims 1, and 10 recited above; i.e.:

“wherein said device is removed from said desired article by removing said attachment from said aperture”.

An inspection of, e.g., Figs. 2 and 4 of Dietz show that the Dietz's key holder can be removed from a garment without removing the attachment from the aperture.

Accordingly, the present rejection of Claim 10 is overcome, and since Claims 12-15 and 22 are dependent upon Claim 10, it is also believed that the present rejection for these claims is also overcome.

The Examiner has additionally rejected Claims 1, 4, and 8-9 under 35 U.S.C. 102(b) as being anticipated by Nielson (U.S. Patent No. 6,026,515). However, Nielson also does not disclose or suggest the limitation to Claims 1, and 10 recited above. An inspection of Fig. 1 of Nielson is illustrative, e.g., the elongate member 50 (which the Examiner at least partially interprets as an “attachment”) attaches to the eyelet portion 20 (which the Examiner interprets as

a “post”), but the device can be readily removed from the garment 60 without removing the member 50 from the eyelet portion 20. Accordingly, the present rejection of Claim 1 is believed to be overcome. Additionally, since Claims 4 and 8 are dependent upon Claim 1, the present rejection of these claims is believed to be also overcome. Note that Claim 9 has been cancelled.

103(a) Claim Rejections

The Examiner has rejected Claims 2 and 8 under 35 U.S.C. 103(a) as being unpatentable over Goele in view of Monk (U.S. Patent No. 3,837,190). Since the §102(b) anticipation of Claim 1 by Goele has already been overcome, citing Monk for establishing that the post is integral with the shoulder and for providing a washer does not suffice for maintaining an obviousness rejection of these claims.

Additionally, regarding the Examiner’s reasoning for rejecting Claim 2, it is submitted that the Examiner’s reasoning is incorrect. Providing a washer on the exterior of the combination of components 13 and 25 (herein denoted “combination post”) of Goele will not provide more space between the aperture and the shoulder (27). The combination post is already secured to the belt 11, and no additional washer surrounding this combination will secure Goele’s apparatus better to the belt. In fact, in order to fit such a washer over the combination post, the washer would loosely dangle about on its stud 13, and likely interfere with ring 19 on the stud due to the large size of the central opening in the washer. Moreover, note that if such a washer were placed between such a stud 13 and the belt, then the Examiner would have to interpret the “extended post” of the Claim 1 as being a bolt 25 of Goele. However, such bolts 25 have no apertures. Accordingly, the present rejection of Claim 2 is further overcome for the reasoning established here.

Regarding Claim 8, Applicant’s representative respectfully disagrees with the Examiner’s view that the assembly of Goele is integral. The figures of Goele clearly show distinct components as anyone of ordinary skill in the art would recognize. Moreover, regarding the combining of Monk and Goele for establishing that the corresponding Goele components for the shoulder and post can be integral, there is no suggestion in the prior art for combining a

Application No. 09/802,852

decoration for a lady's belt (e.g., Goele's apparatus) with a key retaining device (such as Monk's apparatus). Moreover, if the components that the Examiner has interpreted as the shoulder (i.e., washer 27) and the combination post were integral, then Goele's device could not be removed from the belt at all without severely damaging the belt. Accordingly, the present rejection of Claim 8 is further overcome for the reasoning established here.

The Examiner has further rejected Claims 3 and 7 under 35 U.S.C. 103(a) as being unpatentable over Goele in view of Wu (U.S. Patent No. 5,363,680). The present rejection is believed to be overcome since Goele is no longer prior art to Claim 1.

The Examiner has further rejected Claim 5 under 35 U.S.C. 103(a) as being unpatentable over Goele in view of Budreck (U.S. Patent No. 3,041,697). The present rejection is believed to be overcome since Goele is no longer prior art to Claim 1.

The Examiner has further rejected Claims 15 and 19 under 35 U.S.C. 103(a) as being unpatentable over Goele in view of Brauch (U.S. Patent No. 615,474). The present rejection is believed to be overcome since Goele is no longer prior art to Claims 1 and 10.

New Claims

New dependent claims 23 through 28 have been added. These claims are believed allowable due to their dependence on their corresponding independent claim (e.g., Claim 1 or 10).

Having overcome all the Examiner's rejections, it is believed that the presently pending claims are now in condition for allowance. Thus, it is requested that the Examiner reconsider the application so that it can proceed to issuance. Applicant's representative requests the courtesy of a telephone interview to discuss the present case in the event the Examiner has any further questions or concerns relating to this application. Applicant's counsel can be reached directly at (303) 863-2975.

Application No. 09/802,852

Applicant's representative believes that no additional fees are due in connection with the filing of this paper, other than the fee of \$55.00 for a one-month extension and \$54.00 for the addition of 6 dependent claims present herein. However, in the event that fees are due, please debit Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Dennis J. Dupray

Registration No. 46,299

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: Sept. 23, 2003

J:\4690\1\PTO\AMD-03-Rsp to 5-28-03 OA.doc

#17 Sub. Spec
878 MK
10/1/03

KEY RING HOLDER

FIELD OF THE INVENTION



The present invention is directed to a key ring holder, and more particularly to a device attachable to a belt or garment which facilitates connecting of various devices, including a key chain.

RECEIVED

OCT 02 2003

GROUP 3600

BACKGROUND OF THE INVENTION

10 Various key holders and retainers are known in the art, including those described in U.S. Patent Nos. 4,072,033 to Eckerdt; 3,979,934 to Isenmann; 3,906,763 to Bochory; 3,771,341 to Laufer; and 4,004,325 to Hubachek. None of such prior art devices, however, provide a device capable of providing permanent attachment to a garment or a belt, or a variety of other items, and that is further constructed of materials and is of such a design that

15 it facilitates easy access and secure attachment of a key ring or a key chain. There is therefore a long felt but unsolved need for an inexpensive, easy to manufacture device capable of being secured to any number of items, but in particular a garment or a belt, to facilitate the easy, reversible attachment and detachment of a key ring, a key chain or any number of similar items.

20

SUMMARY OF THE INVENTION

The present invention is directed to a unique, simple and secure key ring holder (e.g., apparatus 20 of Fig. 1) capable of being installed on a variety of items, including but not limited to clothing, belts, handbags, back packs and luggage (e.g., a desired article 12 for

25 attachment as in Fig. 1). In a preferred embodiment, the key ring holder of the present invention is constructed from a solid and durable material, such as metal or hardened plastic. A preferred design of the present invention includes an extended post (e.g., post 24 of Fig. 1) connected to a shoulder (e.g., shoulder 22 of Fig. 1), wherein the post includes: (i) a first portion (e.g., post portion 25, Fig. 1) for supportively contacting the apparatus of the

OK TO
ENTER
MK 12/4/03

invention on the desired article 12, and (ii) an outwardly extending portion (e.g., post portion 27, Fig. 1) ~~the post~~ having at least one aperture (e.g., aperture 26 of Fig. 1) running therethrough for attaching various other hardware, including clips, snap hooks, quick links, shackles, rings etc (e.g., key chain 13, Fig. 11). The shoulder, in at least some embodiments, includes a first surface (e.g., surface 29 shown in Figs. 1 through 10) and an opposite second surface (e.g., surface 33 shown in Figs. 1 and 2). The shoulder is preferably securely mounted to an article (e.g., article 12 of Fig. 1 or Fig. 3) to which attachment is desired. In one embodiment, the shoulder is securely fastened to an article which may be a garment, such as jeans, pants, or overalls, thus facilitating easy access to ~~such the device of the present~~ invention for a person wearing such a garment. In other embodiments, the device of the present invention can be reversibly attached to a garment, such as through a button hole (e.g., button hole 14 of Fig. 3) or other suitable aperture, thus allowing a user to use the present invention with a variety of articles 12 rather than having it securely attached to just one article. The aperture running through the post is preferably of a size to provide for attachment of a variety of connecting apparatuses including but not limited to rings, snap hooks, shackles, etc.

In other embodiments, more than one aperture is provided in the post (e.g., apertures 26 of Fig. 6) to facilitate more than one attaching device passing through said post. Thus, a variety of different key ring attachment means can be reversibly connected by using more than one of such apertures.

In still further embodiments, the post itself has a design to facilitate the reversible secure engagement of a connecting member. For example, the post can have an aperture running transversely therethrough which is large enough to extend completely through one wall of the post creating an open side of the post which is closed off by a reversibly and pivotally connected lever member. The preferably spring loaded lever is maintained in a closed position during normal use such that any connecting article must force the pivoting member to move so that the interior of the post aperture can be accessed. The pivoting member can then move back to its normal, closed position, thus securing the connecting article inside the now closed aperture of the post.

Particular embodiments of the present invention are directed to garments having at least one of the key ring holders of the present invention affixed thereto (e.g., overalls 32 of Fig. 11 having apparatus 20 attached thereto). Still other embodiments are directed to belts, preferably made of either plastic, leather or other suitable durable material having at least one
5 of the key ring holders of the present invention attached thereto.

Securement of the apparatus of the present invention to a garment or belt can be achieved in various different ways as will be appreciated by one of skill in the art. Preferably, however, the shoulder (e.g., shoulder 22 of Fig. 1) of the ~~device~~ present invention can be attached directly to the garment or belt by a suitable adhesive and/or apertures can be
10 provided in the shoulder for securing the shoulder to a garment or belt with rivets, thread, etc.

A still further embodiment involves a rivet connection made possible by the shoulder being of a sufficient diameter such that it will not pass through an aperture in a grommet (e.g., grommet 18 Fig. 1) but which permits the post of the present invention to pass therethrough.

To secure the post in such a grommet hole, various means can be employed. For example,
15 the post may be maintained in a desired extended position, facilitating access to the at least one aperture in said post, simply due to the contact with a person's body or undergarment pressing outward against the shoulder. Thus, the first shoulder surface (e.g., surface 29 of Fig. 1) contacts a desired article to which the invention is attached. Accordingly, an embodiment of the present invention may include a "contact portion" for contacting a desired
20 article and securing the embodiment thereto, wherein, the contact portion includes, e.g., the exterior surface of the shoulder (e.g., surface 29 of Fig. 1), and the first portion (e.g., post portion 25, Fig. 1) described hereinabove.

Alternatively, the device can be more firmly attached inside a grommet hole through the use of an exterior washer (e.g., washer 28, Figs. 10 and 11) that fits over the post once the
25 post has extended through the grommet hole. Thus, the shoulder is of sufficient circumference and diameter so that it cannot pass through a grommet hole, but wherein the post may extend through the hole, whereby a washer is placed over the post to secure it in place. One will appreciate that the washer placed over the post may be of different configurations, colors, etc. and is primarily intended as a cosmetic component. The washer

may not require a fixation to the post and/or fabric adjacent thereto and can simply be maintained in its position on the post due to the fact that an attaching ring or article through the post aperture will prevent the washer from falling off. The washer can, however, also be affixed to the grommet structure and/or the belt, fabric, etc. of the article to which the grommet is attached. Various adhesives, riveting structures, threaded connections, etc., are also possible in order to achieve securement of the present invention to a desired article.

In use, a person threads a connecting device, such as a snap hook or a circular, overlapping wire ring, through the at least one aperture provided in the post. Once attached, the connecting device will simply hang from the post, thus facilitating the carrying of key chains, key rings, and various other desired hardware.

The size, diameter and circumference of the aperture provided in the post can obviously vary depending upon the particular use intended. Preferably, the aperture is at least about 1 centimeter in diameter, more preferably at least about 1/8th of an inch, and most preferably over about 1/4 of an inch. The size of the aperture can be varied to accommodate the attachment of various hardware, such as the girth of snap hooks or rings that may be used in conjunction with the present invention.

The length of the post can similarly be varied depending upon the particular uses to which the present invention is directed. The preferred length of the post is at least about 1 cm, more preferably at least about 1/4 inch and most preferably at least about 1/2 inch. The length should not, however exceed about one inch unless more than one aperture is provided therethrough. For example, if more than one aperture is provided in the post, the post can be of a longer length than if merely one aperture were afforded therein. Indeed, in one embodiment, several apertures are provided in a post to facilitate the attachment of more than one connecting means. Thus, different numbers and sizes of apertures may also be provided in a post to facilitate particular uses.

The aperture through the post is preferably perpendicular to the length of the post, but can, in various embodiments, be in any angular orientation through the transverse section of the post. In a preferred embodiment, the aperture is a double counter sunk hole (see Figure 1) so as to facilitate the easy attachment and detachment of a connecting means. Moreover,

the shape of the hole can be of any desired geometry, but is preferably round. Thus, octangular, triangular, square and other shaped holes are within the scope of the present invention.

5 The extent of the shoulder diameter (in a circular shoulder embodiment) can be of any size sufficient to anchor the present invention in an article to which it is attached. Preferably, the diameter of the shoulder is slightly less than the length of the post. As one of skill will appreciate, the particular geometrical configuration of the shoulder can vary, but in a preferred embodiment, it is circular in shape. Other geometries that are preferred lack sharp edges which could negatively affect articles to which the present invention is attached given
10 that the weight of any connecting means on the post will create pivotal torsion on the edges of the shoulder against the garment, belt, or other article to which the present invention is attached, thus causing undesired abrasion.

In some embodiments, reinforcement of a garment or other article to which the present invention is attached may be necessary in order to insure proper and long term
15 attachment of the shoulder to the garment, belt or other article. For example, with respect to a garment, a suitable additional patch material may be provided that provides additional tensile strength to the garment fabric surrounding and attaching to the shoulder region of the present invention.

Still a further embodiment of the present invention is directed to an embodiment
20 where the shoulder has a transverse aperture provided therein to facilitate slipping the shoulder (22) over an existing button (30) of a garment (12), such as a metal button common on denim jeans. For example, traverse aperture 34 of Fig. 4 is representative, wherein this aperture has a first interior side 35 for contacting the hidden side of the button 30, and an opposing second interior side, interior to the shoulder, for contacting the button side 31. By
25 Accordingly by slipping the present device (20) over an existing button 30, easy attachment of the present device is made possible without the need to provide a separate hole in the jeans or other articles and without the need to provide adhesives, separate rivets, etc. Thus, an embodiment of the present invention may include a "contact portion" for contacting, e.g., a

button, of a desired article and securing the embodiment thereto, wherein, the contact portion includes the first and second interior surfaces of the shoulder described hereinabove.

In a preferred embodiment, the post and the shoulder are fixedly attached to each other, and indeed, in a most preferred embodiment, they are made integral with one another.

5 Other embodiments, however include a threaded connection between the post and shoulder (Fig. 9), a ball and socket connection (Fig. 8), a snap-lock connection (not shown) etc. Again, while the present invention can be comprised of plastic or metal, in a preferred embodiment, the present invention is made from a metal material, such as brass, steel, ~~nickel~~ nickel etc. or other metal alloys.

10 Although in a preferred embodiment the post is connected to the shoulder at a 90° angle, other angular orientations are well within the scope of the present invention. Indeed, Fig. 7, shows one embodiment of the present invention where the post is angled downwardly to limit the degree of extension of the post away from a belt or garment to which it is attached.

15 Other features and embodiments will be revealed to those of skill in the art from a review of the detailed description of preferred embodiments and the figures described and featured herein.

BRIEF DESCRIPTION OF THE FIGURES

20 Fig. 1 is a side view of the present invention (apparatus 20) showing one view of the aperture (26) running through the post (24);

Fig. 2 is a side view of the present invention turned 90° from that shown in Fig. 1;

Fig. 3 is a top view of the present invention showing the smaller diameter of the post (24) as compared to the larger diameter of the surrounding shoulder (22);

25 Fig. 4 is an alternative embodiment of the present invention wherein the shoulder (22) facilitates slipping over a button (30) existing on a garment (12);

Fig. 5 illustrates another embodiment to the present invention where the shoulder (22) and aperture (26) through the post (24) are of a distinct geometrical configuration;

Fig. 6 illustrates another embodiment of the present invention having more than one aperture (26) through the post (24);

Fig. 7 illustrates one embodiment of the present invention where the post (24) is angularly connected to the shoulder (22);

5 Fig. 8 shows a ball and socket connection between the shoulder (22) and the post (24);

Fig. 9 shows a threaded connection between the post (24) and the shoulder (22);

Fig. 10 shows one embodiment of the present invention wherein a washer (28) is fit over the post (24) for securement purposes; and

10 Fig. 11 shows the present invention as it is used on jeans with a key ring/chain (13).

DETAILED DESCRIPTION OF THE INVENTION

Referring to Figs. 1-11, the present key ring holder invention 20 comprises a shoulder 22 connected to a post 24, such post having at least aperture 26 running transversely therethrough. In a preferred embodiment, the aperture 26 is a double counter sunk hole as shown in Fig. 1. The diameter of the shoulder 22 is preferably less than the length of the post 24 but can be of any particular size in order to facilitate secure attachment of the key ring holder to a desired article, such as a garment, belt, purse, etc.

20 Fig. 6, shows one embodiment of the present invention having more than one aperture 26 provided through the post 24. Fig. 7 shows the aperture 26 being provided at a slanted angle through the post 24.

Fig. 9, shows one embodiment where the post 24 is threadedly engageable with the shoulder 22, thus facilitating removal of the post 24 from the shoulder 22.

25 Fig. 10, shows one embodiment wherein the post 24 has a washer 28 which fits over the post.

~~one~~ Fig. 11, shows the present invention as it may be used on jeans with a key ring/chain 13. The post 24 is fed through a hole in a garment, belt, etc.

While various embodiments of the present invention have been described in detail, it is apparent that further modifications and adaptations of the invention will occur to those

skilled in the art. However, it is to be expressly understood that such modifications and adaptations are within the spirit and scope of the present invention.

ABSTRACT

A key ring holder facilitates the reversible attachment of various connecting means, such holder having a shoulder connected to a post and such post having at least one aperture running therethrough for attachment of snap hooks, rings etc. Attachment to various articles, preferably belts, garments, etc. is accomplished by securing the shoulder by adhesive means or through a riveting structure, thereby allowing a post having an aperture therethrough to extend outwardly for easy access by a user.

J:\4690\I\PTO\Patent Application(amended).doc